

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GLENN et al.

Atty. Ref.: 4057-32

Appln. No.: 09/257,188

Group Art Unit: 1644

Filed: February 25, 1999

Examiner: G.R. Ewoldt

FOR: USE OF PENETRATION ENHANCERS AND BARRIER DISRUPTION AGENTS
TO ENHANCE THE TRANSCUTANEOUS IMMUNE RESPONSE

* * *

June 16, 2003

Hon. Commissioner for Patents
Arlington, VA 22202

Sir:

ASSOCIATE POWER OF ATTORNEY

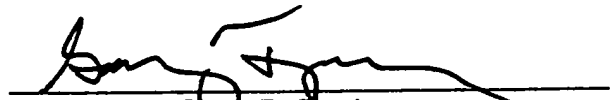
In connection with the above-identified application, the undersigned attorney of record, hereby appoints Erich E. Veitenheimer, Esq. (Reg. No. 40420) and Paul N. Kokulis, Esq. (Reg. No. 16773) as associate attorneys to prosecute this application, to make amendments and respond therein, and to receive the patent and transact all business in the Patent and Trademark Office connected therewith.

All communications in connection with the prosecution of this application should be sent to MORGAN, LEWIS & BOCKIUS L.L.P., 1111 Pennsylvania Ave., N.W., Washington, D.C. 20004.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Gary R. Tanigawa
Reg. No. 43180

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. §3)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED Use of Penetration Enhancers and Barrier Disruption Agents to Enhance the Transcutaneous Immune Response Induced by ADP-Ribosylating Exotoxin**

the specification of which (CHECK applicable BOX(ES))
X A. ☐ is attached hereto.
BOX(ES) → B. ☒ was filed on February 25, 1999 as U.S. Application No. 09/257,188
→ C. ☐ was filed as PCT International Application No. PCT/ / on /
and (if applicable to U.S. or PCT application) was amended on /

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)					
Number	Country	Day/MONTH/Year Filed	Date first Laid-open or Published	Date Patented or Granted	Priority NOT Claimed

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)			
Application No. (series code/serial no.)	Day/MONTH/Year Filed	Status	Priority NOT Claimed
08/749,164	14/NOV/1996	pending, abandoned, patented	
08/896,085	17/JUL/1997	patented	
PCT/US97/21324	14/NOV/1997	patented	
60/075,850	25/FEB/1998	abandoned	
60/075,856	25/FEB/1998	abandoned	
60/086,251	21/MAY/1998	abandoned	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, 1600 Tysons Boulevard, McLean, VA 22102, telephone number (703) 905-2000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	David A. Jakopin	32995	Adam R. Hess	41835	Brian J. Beatus	38825
George M. Sirilla	18221	Mark G. Paulson	30793	William P. Atkins	38821	Jonathan E. Jobe	28429
Donald J. Bird	25323	Stephen C. Glazier	31361	Paul L. Sharer	36004	Mark C. Pickering	36239
Dale S. Lazar	28872	Richard H. Zaitlen	27248	Robin L. Teskin	35030	David H. Jaffer	32243
Glenn J. Perry	28458	Roger R. Wise	31204	Anthony L. Miele	34393	John R. Wetherell	31678
G. Paul Edgell	24238	Jack S. Barufka	37087	Robert J. Walters	40862	Steven J. Moore	35959
				Gary R. Tanigawa	43180	Elizabeth Arwine	45867

(1) INVENTOR'S SIGNATURE:

Gregory M. A. Date: 14 Aug 2001

Name	Gregory	M.	GLENN
First	Middle Initial	Family Name	
Residence	Cabin John	MD	U.S.A.
City	State/Foreign Country		Country of Citizenship
Mailing Address	8010 Riverside Drive, Cabin John Maryland 20818		
(include Zip Code)			

(2) INVENTOR'S SIGNATURE:

Carl R. ALVING Date: 21 Aug 2001

Name	Carl	R.	ALVING
First	Middle Initial	Family Name	
Residence	Bethesda	MD	U.S.A.
City	State/Foreign Country		Country of Citizenship
Mailing Address	3 Newbold Court, Bethesda, Maryland 20817		
(include Zip Code)			

Atty. Dkt. No. PW 244954 / 1002

(M#)

1057-GRX
32

UNITED STATES
PATENT AND
TRADEMARK OFFICE

FEBRUARY 28, 2002

PTAS

Chief Information Officer
Washington, DC 20231
www.uspto.gov

NIXON & VANDERHYE P.C.
GARY R. TANIGAWA
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON, VA 22201



101939903A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/31/2001

REEL/FRAME: 012430/0236
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GLENN, GREGORY M.

DOC DATE: 08/22/2001

ASSIGNOR:
ALVING, CARL R.

DOC DATE: 08/23/2001

ASSIGNEE:
GOVERNMENT OF THE UNITED STATES,
AS REPRESENTED BY THE SECRETARY
OF THE ARMY
U.S. ARMY MEDICAL RESEARCH AND
MATERIAL COMMAND
FT. DETRICK, MARYLAND 21702-5012

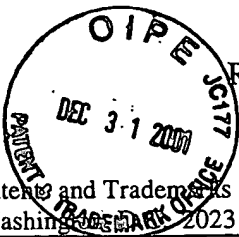
SERIAL NUMBER: 09257188
PATENT NUMBER:

FILING DATE: 02/25/1999
ISSUE DATE:

012430/0236 PAGE 2

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

01-10-2002



101939903

Our Ref.: 4057-32

Commissioner of Patents and Trademarks
Box Assignment, Washington, DC 20231

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Gregory M. GLENN
Carl R. ALVING

12-31-02

Additional name/s of conveying party/ies attached? ☐

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Assignment ☐ Change of Name
☐ Other

Execution Date: August 22 and 23, 2001

2. Name and address of receiving party(ies):

Name: Government of the United States, as Represented
by the Secretary of the Army

Internal Address:

Street Address: U.S. Army Medical Research and Material
Command

City: Ft. Detrick

State/Country: Maryland

Zip: 21702-5012

Additional name/s & address/es attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

(1) 09/257,188

(2)

(3)

B. Patent No(s).

(1)

(2)

(3)

Additional numbers attached ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gary R. Tanigawa

Internal Address:

Street Address: Nixon & Vanderhye P.C.

1100 North Glebe Road

8th Floor

City: Arlington State: VA Zip: 22201

6. Total number of applications & patents involved: 1

7. Total fee (37 CFR 3.41)

\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account #14-1140

8. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper thereafter filed in this application by this firm) to our Account No. 14-1140.

01/09/2002 RAH:ED1 00000003 141140 09257188

DO NOT USE THIS SPACE

01/09/2002 RAH:ED1 00000003 141140 09257188

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gary R. Tanigawa

Name of Person Signing

Reg. No. 43,180

Signature

December 31, 2001

Date

Total number of pages including original cover sheet, attachments, and document: [3]

ASSIGNMENT OF INVENTION

For use of this form, see AR 27-60; the proponent agency is OTJAG

Title of Invention: Use of Penetration Enhancers and Barrier Disruption Agents to Enhance the Transcutaneous Immune Response Induced by ADP-Ribosylating Exotoxin

Inventor(s) Gregory M. GLENN and Carl R. ALVING

* Application Serial No.: 09/257,188

* Date Oath Executed: _____ * Filing Date: February 25, 1999

(*Data not known at execution may be added for better identification.)

I (We), the undersigned inventor(s), in consideration of the rights of the Government of the United States acquired by virtue of the circumstances under which the above-entitled invention was made, hereby:

1. Assign to the Government of the United States, as represented by the Secretary of the Army, the entire right, title and interest throughout the United States, its Territories, Possessions, and Puerto Rico, in and to the above-entitled invention and application for patent and all Letters Patent issuing thereon, and any continuation, continuation-in-part or division of said application and any reissue or extension of said Letters Patent.

2. Agree to assign to the Government upon its request, title and interest in the invention in those foreign countries in which the Government, within eight months of the filing of the United States application for patent, determines to cause an application to be filed; provided that if the Government determines not to cause an application to be filed in any particular foreign country or fails to make such a determination, within the said eight months, all right, title and interest in the invention in such foreign country shall remain in me (us), subject to a nonexclusive, irrevocable, royalty-free license to the Government in any patent which may issue on the invention in such foreign country, including the power to issue sublicenses for use in behalf of the Government and/or furtherance of the foreign policies of the Government.

3. Agree to provide any further information within my (our) knowledge and to execute any further documents necessary to the prosecution of patent applications on the invention, the prosecution and settlement of interferences and recording of title to patent applications and patents issuing thereon.

Signature of Inventor: _____

(First name)

(Middle Initial)

(Last name)

Duty Address: _____

(Locality)

(Country)

(State)

Date: 22 Aug 2001

Typed Name of Inventor: Gregory M. GLENN

State of: Maryland

) SS

County of: Montgomery

)

On the above date Gregory M. Glenn known to me to be the individual described in and who executed the foregoing instrument duly appeared before me and acknowledged to me that the same as his own free act and deed.

(SEAL)

(Signature of notary public)

ROSEMARIE M. WILSON
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires February 2, 2002

Commission expires on 02/02/02